

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS,
JUNE 19, 2007 AT 7:00 P.M.**

RECEPTION - SOCIAL GATHERING - 6:30 P.M.

A reception was held at the Leon Valley Conference Center, 6421 Evers Road, Leon Valley, Texas, on June 19, 2007 to welcome Sister-City visitors, Fabio Polito and Pasquale Cantalupo from Agropoli, Italy. This was strictly a social gathering; not discussion of or Council action was taken on any City business at this reception.

REGULAR CITY COUNCIL MEETING - 7:00 P.M.

The City Council of the City of Leon Valley, Texas, met for a Regular City Council Meeting on the 19th day of June 2007 at 7:05 p.m., at the Leon Valley Conference Center, at 6421 Evers Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

Call to order and Pledge of Allegiance.

Mayor Riley called the meeting to order and asked that the minutes reflect that the following members of Council were present: Manea, Reyna, Dean and Nelson. Mayor Riley announced that Councilmember Baldrige had an excused absence due to a family medical emergency.

City Manager Lambert, City Secretary Feutz, Fire Chief Irwin, City Accountant Wallace, Public Works Director Vick, Community Development Director Smith, Economic Development Director Caldera, and Assistant City Secretary/HR Officer Schendel were also present.

Mayor Riley asked resident Matthew Dyer, from the Leon Valley Sister-City Delegation to Agropoli, to lead the Pledge of Allegiance.

Consider approval of minutes of the City Council Meeting of June 5, 2007 and of the City Council Workshop of June 16, 2007.

A motion was made by Councilman Reyna, seconded by Councilman Manea to approve the minutes of the City Council Meeting of June 5, 2007 as presented. Upon vote, the motion carried.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the minutes of the City Council Workshop of June 16, 2007 with the deletion of the second paragraph under the discussion of "Communications and Team building exercises". Upon vote, the motion carried. Mayor Riley announced that minutes approved.

Welcome two visitors from Sister-City, Agropoli (Mayor Riley).

Mayor Riley introduced former Leon Valley City Councilmember Mary Green who has served as the tour guide for the Agropoli delegations. Ms. Green introduced Fabio Polito and Pasquale Cantalupo to the Council and audience and described the location of the Sister-City, Agropoli, Italy and some of the activities that the Sister-City relationship with Agropoli has brought to both cities. Mayor Riley decreed honorary citizenship in Leon Valley for both Mr. Polito and Mr. Cantalupo and presented them with certificates.

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Presentation by the Sister-City Delegation to Agropoli, Italy.

Members of the Sister-City Delegation who visited Agropoli, Italy in May 2007 reported to Council and the audience on their visit to Agropoli, Italy and presented a slide show of the City and its surroundings. Speakers included Rita and Patty Dyer, and Al Baldrige who encouraged everyone to consider a trip to Agropoli in the future. Patty Dyer presented Mayor Riley with gifts of books for the Leon Valley Library and a plaque from Agropoli to the City of Leon Valley. Mayor Riley thanked everyone

Presentation and awards by Frederick Medrano, Waste Management, Inc. for the Green Bin Instant Win Program.

Mayor Riley introduced Frederick Medrano, from Waste Management, Inc. and explained that the contest was part of the kick-off of the City's new expanded recycling program. Mr. Medrano announced winners in the Green Bin Instant Win Program and congratulated Mr. and Mrs. Thomas Haase and Mr. and Mrs. Robert Tome as the first two winners in the program. Mr. Medrano assisted with the drawing of two more cards for the next week's Green Bin Instant Win Program.

Citizens to be heard and time for objections to the Consent Agenda.

Mayor Riley asked Council if they wished for any item to be removed from the Consent Agenda for further discussion. Hearing no one, Mayor Riley then asked if anyone in the audience wished to address the Council.

Alamo Regional Mobility Authority Board Member Robert Thompson addressed Council giving a brief overview of the purpose of the ARMA and its job in addressing mobility needs with cuts in funding for those needs. He stated that there were no funds available thru the MPO and the 10-year transportation plans for Bandera Road improvements. He stated that the environmental impact study would study not only the impact on the environment, but also the socioeconomic impact. He stated that Leon Valley's message was clear and that the Bandera Road Working Group has been studying a plan for how the road will be built. He stated that the original plan from TXDOT called for an elevated toll road which alarmed many, but that plan has been put away and we shouldn't worry about it as that was not going to happen. He stated that it appears that the mobility authority's only option in addressing mobility for the area is through tolling. Mr. Thompson explained that the RMA had, through legislation, the first right to construct a toll road to address mobility solutions and he further stated that the Alamo RMA has exercised their right for Highway 281 and Loop 1064, the first right for a refusal to develop those areas for toll projects. Mr. Thompson also stated that the development rights for Bandera Road had also been given to the Alamo RMA but the environmental impact studies must be completed before construction decisions are made.

Mayor Riley thanked Mr. Thompson for bringing the information to the Council and then asked if there was anyone else who wished to address the City Council; hearing no one, she asked for a motion for Consent Agenda.

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Consent Agenda

Consider M&C # 06-09-07 - Approval of award of the bids received for the 2007 Paving Improvements Project Bid 2007-02 to Clark Construction of Texas, Ltd. (Vick).

Consider Ordinance 07-027 - Approval of appointment of a member to the City Park Commission (Mayor Riley).

A motion was made by Councilmember Dean, seconded by Councilman Reyna, to approve both Consent Agenda items as presented on the Council agenda. Upon vote, the motion carried.

Public hearing to consider and act upon Zoning Case #07-375 - with attached Ordinance - A request by Centex Homes, applicant, to rezone approximately 24.735 acres of land from R-1 (Single-Family Dwelling) to R-6 (Garden Home) in the 6500 block of Samaritan Drive. The zoning Commission recommended approval of the request by a vote of 4:3 on April 24, 2007. (On June 6, 2007, CENTEX submitted a request to withdraw the rezoning request) (Smith).

Mayor Riley read the agenda headline aloud and announced that the applicant had requested that this case be withdrawn from consideration. She announced that the public was invited to participate and make suggestions on the Master Plan discussions for the Seneca West area during the Zoning Commission meeting of August 28, 2007 at 7:00 p.m. Mayor Riley asked for a motion to accept the request which would take the request off the agenda or a motion to deny the request which would be followed by the public hearing on the case.

A motion was made by Councilman Reyna, seconded by Councilmember Nelson, to accept the CENTEX's letter requesting a withdrawal of their rezoning request. Councilman Reyna thanked everyone for their participation in the rezoning process.

Upon vote, the motion carried and Mayor Riley announced that there would be no public hearing as the Council had accepted the applicant's request for withdrawal of the zoning case.

Mayor Riley stated for the record that 76 letters were received from outside the 200 feet surrounding the proposed site and six (6) letters were received from property owners within 200 feet of the site and all were opposed to changing the zoning from R-1 (Single Family Dwelling) to R-6 (Garden Home) zoning.

City Manager Lambert informed Council that, under State law, this case could not come back before them for at least six months.

Public Hearing to consider and act upon Replat Case # 07-102, a request by Emma Bribiescas, applicant and property owner, to replat Lots 1, 2, 3, and 4 to NEW Lot 44, Block I, CB 4446A, Linkwood Addition Subdivision, located in the 7600 block of Eckert Road (Smith).

Community Development Director Smith addressed City Council Replat Case # 07-102, a request by Emma Bribiescas, applicant and property owner, to replat Lots 1, 2, 3, and 4 to new

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Lot 44, Block I, CB 4446A, Linkwood Addition Subdivision, located in the 7600 block of Eckert Road. Ms. Smith stated the replat request included two variance requests to defer sidewalk construction and utility construction to the building phase of the project. She noted that 20 letters were sent to surrounding property owners and no letters were received in favor of nor in opposition to the case and no letters were returned undeliverable.

Mayor Riley announced the public hearing was open at 7:55 p.m. and invited anyone in the audience to come forward to speak on the case. One individual came forward to speak to Council, but it was not for this Replat case. Seeing no one else, Mayor Riley announced the public hearing closed at 7:56 p.m.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the Replat Case No. 07-102 as presented. Upon vote, Mayor Riley announced the replat was approved.

**Consider M&C #06-10-07 - Approval of Ordinance to amend City Code Chapter 5 "Signs",
Section 5.3.4 "Multi-tenant Signs", Subsection 2 (Smith).**

Community Development Director Smith addressed City Council by explaining that end cap tenants in shopping centers were limited to one sign on the building and one sign on the multi-tenant sign pole under the current Sign Code provisions. She reminded Council that they had approved a request to allow a variance to Chapter 5, "Signs" in May 2007 and had asked staff to return with Sign Code changes which would allow all end-cap lease space tenants the option of installing additional wall signage on both storefronts. She stated that proposed changes to the Code would bring the lease spaces with wall signs on two sides into conformance with the City's Sign Code.

A motion was made by Councilmember Dean, seconded by Councilman Reyna, to approve the amendments to City Code Chapter 5 "Signs" as presented. Upon unanimous vote; Mayor Riley announced the ordinance was amended.

**Consider M&C # 06-11-07 with attached resolution - Approval of contract for the
collection of delinquent taxes for a period of July 1, 2007 to June 30, 2009 and approval
of the delinquent tax resolution (Wallace).**

City Accountant Vickie Wallace addressed Council stating that staff, in response to Council's request on June 5, 2007, solicited Requests For Qualifications (RFQ's) from qualified firms for the collection of delinquent taxes for the City. The proposed contract would be for a two-year term ending June 30, 2009. She noted that the City had contracted with the firm of Heard and Smith, LLP for over 25 years and that the contract would expire June 20, 2007. She stated that four (4) RFQ's were sent out and two (2) were returned, one from Heard and Smith, LLP and one from Linebarger, Goggan, Blair and Sampson, LLP. She stated that in addition to awarding the contract, the City must adopt the Resolution adding the penalty to delinquent tax account to cover the attorneys' costs for the collection of those accounts.

Carrie Wells, from the legal firm of Linebarger, Goggan, Blair and Sampson, and Mark Smith, from the legal firm of Heard and Smith, individually addressed Council explaining the benefits of their firm handling the collection of delinquent taxes for the City.

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City Manager Lambert asked each representative if their firm provided outstanding warrant collections; Ms. Wells from Linebarger, Goggan, Blair, and Sampson answered affirmatively and Mr. Smith from Heard and Smith answered that they did not do that work.

Following the presentations and Council discussion, a motion was made by Councilmember Dean, seconded by Councilman Reyna, to award the contract for the collection of delinquent taxes to the legal firm of Linebarger, Goggan, Blair, and Sampson, L.L. P. and to adopt the Delinquent Tax Resolution for a two-year period (July 1, 2007 - June 30, 2009). Upon vote, Mayor Riley announced the motion passed and the contract would be awarded to Linebarger, Goggan, Blair, and Sampson, L.L. P. and the Resolution was adopted.

Consider M&C # 06-12-07 - Approval of a name for the City facility located at 6417 Evers Road (Caldera).

Economic Development Director Caldera addressed Council stating that in response to Council's request in March 2007, a survey was put out to the community to solicit their opinion on a name for the City facility located at 6417 Evers Road, formerly known as the Chambers' House. She provided a brief history of owners of the house and announced that the name "The Kinman House" received the most votes; 23 of the 34 votes cast. Ms. Caldera announced that signage for the facility would cost approximately \$850 with funding divided between the Community and Conference Center budget and the Economic Development budget.

Following Council discussion, a motion was made by Councilman Reyna, seconded by Councilmember Manea, to approve the name "The Kinman House" for the City facility at 6417 Evers Road. Upon vote, Mayor Riley announced the motion carried and the facility would be named "The Kinman House".

Consider approval of a Resolution requesting the Texas Department of Transportation and the Metropolitan Planning Organization consider funding for improvements for Bandera Road (S.H. 16) in future regular funding considerations, rather than only toll funding (Mayor Riley).

Mayor Riley announced that she would like more information to fully develop the Resolution and asked that any action on the proposed Resolution wait until after a meeting which has been scheduled with the Metropolitan Planning Organization next week.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to table any action on the proposed Resolution until more information is gathered by the Mayor. Upon vote, Mayor Riley announced the motion carried and the item was tabled.

Consider approval of an amendment to Resolution 07-003 to rename the Superfund/EPA Advisory Group to the Bandera Road Site Community Advisory Group, as recommended by the Environmental Protection Agency (EPA) (Lambert).

City Manager Lambert reported that the Environmental Protection Agency had asked the City to change the name of the Superfund/EPA Advisory Group to the Bandera Road Site Community Advisory Group.

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A motion was made by Councilman Reyna, seconded by Councilmember Nelson, to adopt the amendments to Resolution 07-003 renaming the Superfund/EPA Advisory Group as the Bandera Road Site Community Advisory Group. Upon vote, Mayor Riley announced the motion carried.

Consider approval of a Resolution to appoint members to the Bandera Road Site Community Advisory Group.

City Manager Lambert presented an overview of the purpose of the Community Advisory Group (CAG) and announced the names recommended for appointment:

From the office of Senator Leticia Van de Putte - David Yannez,
From the office of Representative Joaquin Castro - Cynthia Chapa
From the office of Bexar County Commissioner Paul Elizondo - Renee Green
From the office of San Antonio Mayor Phil Hardberger - Marisol Robles
From the Texas Commission on Environmental Quality - Robert Musick
From the Edwards Aquifer Authority - John R. Hoyt
From the San Antonio Water System - Steve Clouse
From the Alamo Area Council of Governments - Dr. Georgia Zannaras
From the Northside Independent School District - Terry Casey.

Mr. Lambert announced that the offices of the EPA, the Texas Department of State Health Services, and the USGS have declined appointment considerations.

Councilman Reyna announced that he had been informed that representatives from Representative Charles Gonzalez, rather than be appointed to the CAG, would rather send representatives to the CAG meetings and support the City in the work with the CAG.

Mayor Riley asked the Council for nominations for others to represent the City of Leon Valley. Councilmember Nelson nominated Gail Nelson, Jr. to be included on the CAG and Councilman Reyna asked that Rudy Garcia also be included. City Manager Lambert announced that the Public Works Director, Assistant Director and the City Engineer will attend all meeting of the Community Advisory Group.

Following discussion and a request from the Mayor for more names of residents, a motion was made by Councilmember Dean, seconded by Councilman Manea, to approve the Resolution with the names presented and the names submitted at the meeting, Mr. Gail Nelson and Mr. Rudy Garcia, as members of the Bandera Road Site Community Advisory Group. Upon vote, the motion carried. Mayor Riley announced that additional names will be considered at the July 3, 2007 City Council meeting.

Discussion Agenda

Discussion on request from United States Geological Survey to drill a test well on City property (Vick)

City Manager Lambert addressed Council stating that originally the United States Geological Survey (USGS) had contacted the City about drilling a test well into the Trinity Aquifer to test the water from that Aquifer. He stated that at the end of the past week, he was informed that the

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test well would only be testing water in the Edwards Aquifer as there was not sufficient funding to drill and test the deeper Trinity Aquifer. Mr. Lambert suggested that the City had been interested in the Trinity Aquifer water testing, as the City was interested in water tests from the Trinity Aquifer and if it could be considered in the future as an additional source of water for the City. He stated that, in light of the USGS's decision to not test the Trinity Aquifer, he would recommend that any further discussion on the subject be postponed.

No further discussion and no action was taken on this agenda item.

City Manager's report (Lambert).

City Manager Lambert addressed Council reporting on the revenue and expenses for the General, Water, and Community/Conference Center Funds. His report compared the financial summaries for the month of May 2007 to the overall FY 2007 Budget and to the same period in FY 2006. He announced that income from fines and fees was lower than projected and that measures had been taken to reduce spending by cutting some street maintenance programs originally projected for FY 2007 and continuing with the 3-month hiring lag for replacing employees in vacant positions. Councilmembers asked about the Omnibase program which encourages those who have outstanding warrants to pay their fines and if the fees for purchase of water rights were reflected in the presented expenditure reports. Mr. Lambert stated he would get the additional information for Council.

Citizens to be heard.

Resident Shep Howson addressed Council asking for clarification on the proposed Zoning Commission hearing on zoning changes to his neighborhood. Mayor Riley explained that the August 2007 hearing was to review the Master Plan for his neighborhood not to consider the zoning case that was withdrawn at this meeting.

Announcements by Councilmembers and Mayor.

Councilman Manea announced that the Leon Valley Area Chamber of Commerce would hold open meeting for their annual Silent Auction Fund Raiser on June 21, 2007 at noon at the Outback Steakhouse and invited anyone interested to attend.

Mayor Riley thanked staff for setting up the reception for the Italian visitors. She announced there would be a Council workshop on Saturday, July 21, 2007 from 9:30 a.m. - 1:30 p.m. for strategic planning. She also announced interviews for City Attorney services would be held in conjunction with Council meetings in July and workshops on the FY 2008 budget would be held in conjunction with Council meetings in August.

Mayor Riley reminded everyone of the July 4, 2007 celebrations being planned for the community which will include a Chili Cook-off this year together with the annual Parade and other activities being coordinated by the Community Events Committee and staff.

She informed Council about a meeting she and the City Manager had attended about alternative energy sources and the use of solar energy. She noted that the Pearl Brewery project included a joint project funded by CPS Energy and the building owner for solar power.

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Mayor Riley thanked everyone who helped with KLRN 's annual Blazing Gavels Auction and representing the City of Leon Valley.

Adjourn.

After asking if there was any other business or comments, Mayor Riley accepted a motion, made by Councilman Reyna and seconded by Councilman Manea, to adjourn the meeting. Mayor Riley announced the meeting adjourned at 9:00 p.m.

Chris Riley
Mayor

Marie Feutz
City Secretary

Passed by vote of City Council at the Regular City Council Meeting of July 3, 2007